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STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

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July 30, 2001

Mr. Joel B. Hebdon, Director
Regulatory Compliance and Analysis Division
United States Department of Energy
P.O. Box 550, MSIN: A5-15
Richland, Washington 99352

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EDMC

Dear Mr. Hebdon:

Re: *Contained-In Determination Request for 100-HR-3 Operable Unit Groundwater in the Vicinity of the 183-H Solar Evaporation Basins*

Reference: Letter, A.C. Tortoso, U.S. Department of Energy to J. A. Hedges, Washington State Department of Ecology, "Transmittal of Contained-In Request for 100-HR-3 Operable Unit Groundwater in the Vicinity of the 183-H Solar Evaporation Basins." DOE-RL 01-ERD-074, dated May 4, 2001. 54971

The Washington State Department of Ecology (Ecology) has received and reviewed the above referenced request. The information was evaluated to determine if the groundwater, once collected from the aquifer, should be managed as dangerous waste in accordance with the principles of the "contained-in" policy.

The United States Department of Energy (USDOE) has stated that the submitted data are representative of the contamination in the groundwater collected from wells H4-3, H4-4, H4-8, H4-11, H4-12, H4-14, H4-15A, H4-18, and H4-64. It is Ecology's understanding that the groundwater does not designate as dangerous waste under federal or state characteristics and criteria. Based on the submitted information, the groundwater collected from these wells is contaminated with the following listed wastes:

- U123 – formic acid
- P030 – cyanide solutions
- P120 – vanadium pentoxide
- P029 – copper cyanide
- P106 – sodium cyanide
- P098 – potassium cyanide

The submitted data show these chemical wastes were detected at concentrations that are below Model Toxics Control Act (MTCA) health-based levels. Under Ecology's current "contained-

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July 30, 2001

Page 2

in" policy, contaminated media may be determined to no longer contain hazardous waste when the hazardous constituents in the media fall below site-specific, risk-based level and the media does not exhibit a characteristic. Ecology has made the determination that the concentrations of hazardous constituents in the groundwater do not warrant management of the material as a hazardous or dangerous waste. Therefore, Ecology will not require USDOE to dispose of groundwater as a listed waste at a dangerous waste treatment, storage, and disposal facility (TSD). Ecology recommends that groundwater be managed in such a manner that does not impact surface and/or groundwater quality.

Please note that this application of the "contained-in" policy is specific for the groundwater for which data were submitted and reviewed. It does not apply to any groundwater from other locations (e.g., 107-H Retention Basin or Liquid Waste Disposal Trenches).

If you have any questions regarding the "contained-in" policy or this determination, please feel free to contact Brenda Becker-Khaleel at (509) 736-3003.

Sincerely,



Jane Hedges, Section Manager
Nuclear Waste Program

JH:BBK:sb

cc: Doug Sherwood, EPA
John Morse, USDOE
Mike Thompson, USDOE
Greg Mitchem, BHI
Joan Woolard, BHI
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Administrative Record: 100-HR-3